



02/28/97

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(Declaration Not Accompanying Application)

② 2-00 1-00  
William E. Marshall, a citizen of the United States and  
Michael K. Hoffman, a citizen of Germany, declare that they  
are residents of the cities of Bedford Hills <sup>NY</sup> and New York  
City <sup>NY</sup> and the state of New York, with post office addresses  
of 112 Succabone Rd., Bedford Hills, New York 10507 and 132  
Green Street, New York, New York 10012, respectively; that  
on October 29, 1996, they filed Application Serial No.  
08/739,264, in the United States Patent and Trademark  
Office, that they verily believe themselves to be the  
original, first and joint inventors of the improvements in  
METHODS AND COMPOSITIONS FOR MODULATING IMMUNE SYSTEMS OF  
ANIMALS described and claimed in the specification of said  
application for patent; that they do not know and do not  
believe that the same was ever known or used in the United  
States of America before their invention thereof or patented  
or described in any printed publication in any country  
before their invention thereof, or more than one year prior  
to this application, or in public use or on sale in the  
United States of America more than one year prior to this  
application; that the invention has not been patented or  
made the subject of an inventor's certificate issued before  
the date of this application in any country foreign to the  
United States of America on an application filed by them or  
their legal representatives or assigns more than twelve  
months prior to this application that they have reviewed and  
understand the contents of the above-identified  
specification including the claims, as amended by any  
amendment specifically referred to in the oath or  
declaration; that they acknowledge the duty to disclose to  
the Office all information known to them to be material to  
patentability as defined in Title 37, Code of Federal  
Regulations 1.56(a); and that no application for patent or  
inventor's certificate on this invention has been filed by  
them, their legal representative or assigns in any country  
foreign to the United States of America except as identified  
below. None.

And we hereby appoint ZARLEY, McKEE, THOMTE, VOORHEES &  
SEASE, comprising Donald H. Zarley, Registration No. 18,543;

13  
Bruce W. McKee, Registration No. 19,651; Dennis L. Thomte, Registration No. 22,497; Michael G. Voorhees, Registration No. 25,715; Edmund J. Sease, Registration No. 24,741; Mark D. Hansing, Registration No. 30,643; Kirk M. Hartung, Registration No. 31,021; Mark D. Frederiksen, Registration No. 31,357; Daniel J. Cosgrove, Registration No. 36,770; Michael R. Crabb, Registration No. 37,298; Heidi Sease Nebel, Registration No. 37,719; Bruce A. Johnson, Registration No. 37,361; and Wendy K. Hartung, Registration No. 39,705; 801 Grand Avenue, Suite 3200, Des Moines, Iowa 50309, Telephone 515-288-3667, our attorneys to prosecute this application and to transact all business in the Patent Office connected therewith. PA

2025-11-19 14:22:30  
The undersigned petitioners further declare that all statements made herein of their own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application of any patent issuing thereon.

Date: Feb 14, 1997

William E. Marshall  
WILLIAM E. MARSHALL

Date: Feb. 17/97

Michael K. Hoffmann  
MICHAEL K. HOFFMANN

Applicant or Patentee: William E. Marshall and Michael K. HoffmannSerial No. or Patent No: 08/739,264Filed or Issued: October 27, 1996For: METHODS AND COMPOSITIONS FOR MODULATING IMMUNE SYSTEMS OF ANIMALS

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY  
STATUS (37 CFR 1.9(f) AND 1.27(c)) - SMALL BUSINESS CONCERN**

I hereby declare that I am

- ☒ the owner of the small business concern identified below:  
☐ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN Immunom Technologies, Inc.ADDRESS OF CONCERN 112 Succabone Road, Bedford Hills, New York 10507

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled METHODS AND COMPOSITIONS FOR MODULATING IMMUNE SYSTEMS OF ANIMALS by inventor(s) William E. Marshall and Michael K. Hoffmann, described in:

- ☐ the specification filed herewith.  
☒ application Serial No. 08/739,264, filed October 29, 1996.  
☐ Patent No. \_\_\_\_\_, issued \_\_\_\_\_.

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights in the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

\*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27).

FULL NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of payment, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME AND TITLE OF PERSON SIGNING: William E. Marshall, President

ADDRESS OF PERSON SIGNING: 112 Sucabone Road  
Bedford Hills, New York 10507

SIGNATURE

DATE

Feb 14, 1997

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